

SCOTTSDALE

CITY COUNCIL MEETING

AGENDA



COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Monday, February 3, 2003

MARKED AGENDA

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard - **5:06 P.M.**

Roll Call - **COUNCILMAN O'HEARN ABSENT**

Pledge of Allegiance - **SCOUT TROOP #227 FROM YAVAPAI AND PIMA SCHOOLS**

Invocation – **MR. A. J. STOCK OF THE FIRST CHURCH OF CHRISTIAN SCIENTIST IN SCOTTSDALE**

Moment of Silence – **OBSERVED FOR THE CREW LOST IN THE SPACE SHUTTLE COLUMBIA TRAGEDY ON FEBRUARY 1, 2003**

Boards, Commissions and Committees

Environmental Quality Advisory Board (2) – **BRIAN MUNSON AND DON MANTHE**

Housing Board (2) – **JEFFREY BURG AND STEVE CAPOBRES**

McDowell Sonoran Preserve Commission (2) – **LAURA FISHER AND SOLANGE WHITEHEAD**

Neighborhood Enhancement Commission (1) – **JOHN HORWITZ**

Public Comment – **GLADYS OLSON** – STRESSED THAT SINGLE FAMILY HOUSING ISN'T COMPATIBLE WITH THE SENIOR CENTER AND EXPRESSED DISMAY OVER COUNCIL'S DECISION NOT TO BUILD SENIOR HOUSING ON THE FORMER SMITTY'S SITE; **JODI DAULSEN** – SUBMITTED A PETITION FOR COUNCIL TO PLACE AN ITEM ON COUNCIL'S AGENDA TO RECONSIDER COUNCIL'S DECISION NOT TO PLACE SENIOR HOUSING ON THE SITE WITH THE SENIOR CENTER; **NORWOOD SISSON** – REQUESTED THAT COUNCIL EXPLAIN THE RULES CONCERNING THE CONSENT AGENDA AND PUBLIC SPEAKERS

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

Minutes – **OK W/REVISIONS – 6/0**

SPECIAL MEETINGS

January 14, 2003

1 RA Sushi Bar Restaurant Liquor License - OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license.

Location: 3815 N Scottsdale Road

Reference: 101-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,
jefisher@ScottsdaleAZ.gov

2. Parada Hall Liquor License – MOTION TO FORWARD A FAVORABLE RECOMMENDATION - DENIED – 3/3 (W.E., R.L., T.S.)

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 6 (bar) State liquor license.

Location: 7303 E Earll Dr

Reference: 102-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,
jefisher@ScottsdaleAZ.gov

3. Roys Liquor License – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license.

Location: 7001 N Scottsdale Rd

Reference: 103-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,
jefisher@ScottsdaleAZ.gov

4. Grocery Station Liquor License – OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 9 (liquor store) State liquor license.

Location: 10810 E Via Linda

Reference: 104-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,
jefisher@ScottsdaleAZ.gov

5. X-Tapa Joes Mexican Food Liquor License - OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license.

Location: 7500 E Pinnacle Peak Road

Reference: 105-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,
jefisher@ScottsdaleAZ.gov

6. **Barcelona Liquor License and Permanent Extension for Patio Addition – OK – 6/0**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension or premises for an existing restaurant/bar.
Location: 15440 N Greenway-Hayden Loop
Reference: 27-EX-2002
Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619, jefisher@ScottsdaleAZ.gov
7. **Outside Counsel Contract for Cahill, Von Hellens & Glazer law firm. - OK – 6/0**
Request: Adopt Resolution No. 6140 authorizing the Mayor to execute Contract for Legal Services, No. 970079A, with the law firm of Cahill, Von Hellens & Glazer, for the provision of legal services in connection with the City's intellectual property issues, including patents and trademarks.
Related Policies, References: Resolution No. 6140.
Staff Contact(s): Donna M. Bronski, Deputy City Attorney, (480) 312-2405, dbronski@ScottsdaleAZ.gov
8. **Authorize Continuing Outside Legal Contract – OK – 6/0**
Request: Authorize the City's Risk Management Division to award a contract to the law firm of Udall, Shumway & Lyons, P.C., to represent and defend the City of Scottsdale against selected claims and litigation for damages. Attorneys fees in excess of \$50,000 would require City Council review and approval.
Related Policies, References: This contract allows Risk Management, in conjunction with the City Attorney's Office, to timely assign defense of selected lawsuits in accordance with the firm's appropriate expertise and experience.
Staff Contact(s): David Pennartz, (480) 312-2405, dpennartz@scottsdaleaz.gov; Mike Mason, (480) 312-7040, mmason@scottsdalaz.gov
9. **Public Defender Services for City Court - OK – 6/0**
Request: Authorize Professional Service Contract No. 2003-015-COS with Jeffery Van Norman, No. (2003-016-COS withdrew), No. 2003-017-COS with Sylvina Daly Coto, No. 2003-018-COS with Thomas Parascandola, No. 2003-019-COS with Robert Campos, and No. 2003-020-COS with Roger Margolis to provide legal counsel for criminal defense representation of indigent and quasi-indigent defendants in the Scottsdale City Court.
Related Policies, References: The United States Constitution, the Arizona Constitution, and the Rules of Criminal Procedure for the State of Arizona, Section III Rights of Parties, Rule 6- Attorneys, Appointment of Counsel.
Staff Contact(s): Daniel W. Edwards, Deputy Court Administrator, (480)-312-3092, dwedwards@scottsdaleaz.gov

10. **Arizona Department of Transportation (ADOT) Airport Development Grant No. E3S12 for \$225,000. – OK – C**
Request: Adopt Resolution No. 6233, authorizing Intergovernmental Agreement (IGA) No. 2003-008-COS accepting ADOT Airport Development Grant No. E3S12 for \$225,000 to design Airport capital projects. The grant will allow the Airport to design various future airport projects including runway safety area improvements, apron rehabilitations, and phase 2 of the perimeter road. Construction of these projects will commence in future years based on availability of grant funding from the Federal Aviation Administration (FAA) and ADOT and availability of matching Aviation Enterprise funds. The grant budget total is \$225,000. The grant requires the Aviation Enterprise fund to match 10% of the total project cost or \$22,500. The grant was anticipated and matching funds are included in the approved FY 2002/03 Airport Grants Budget.
Staff Contact(s): Scott T. Gray, Aviation Director, (480) 312-7735, sgray@ScottsdaleAZ.gov
11. **Architectural Services Contract for design services for new Adult/Senior Center (McDowell and Granite Reef Roads) – OK – 6/0**
Request: Authorize Architectural Services Contract No. 2003-006-COS with Gabor Lorant Architects, Inc. in the amount of \$709,842.00 for the design of the new Adult/Senior Center to be located at the northwest corner of McDowell and Granite Reef Roads.
Staff Contact(s): Corey E. Lew, Project Manager, (480) 312-7769, clew@ScottsdaleAZ.gov
12. **Modification to Engineering Services Contract (Scottsdale Road – Frank Lloyd Wright to Thompson Peak Parkway) to add design services for the public infrastructure required to serve the Lund Cadillac Parcel. – OK – 6/0**
Request: Authorize modification to Engineering Services Contract No. 2002-144A-COS with Dibble & Associates in the amount of \$170,403.00 for the design of public infrastructure improvements including:
 - Union Hills Drive roadway improvements from Scottsdale Road to the 74th Street alignment,
 - Landscape improvements within the right-of-way and scenic corridor easement along Scottsdale Road from Union Hills Drive to the Loop 101 Freeway, and;
 - Drainage improvements for conveying storm water from the two concrete box culverts under the Loop 101 Freeway around the eastern perimeter of the Lund Parcel and reconnecting to existing drainage channels south of Union Hills Drive.**Related Policies, References:** Economic Vitality Strategic Plan
Staff Contact(s): Annette Grove, Sr. Project Manager, (480) 312-2399, agrove@ScottsdaleAZ.gov

Regular Agenda begins on the following page

13. Engineering Services Contract for design of the Water Campus Phase 3 Expansion. – OK – 6/0

Request: Authorize Engineering Services Contract No. 2003-007-COS with Damon S. Williams Associates, L.L.C. (DSWA) in the amount of \$2,065,336.00 for the final design of the Water Campus Phase 3 Expansion.

Related Policies, References: Engineering Services Contract No. 2001-167-COS, for concept design of Water Campus expansion, approved by City Council on November 26, 2001; Wastewater System Master Plan, approved by City Council on October 15, 2001.

Staff Contact(s): Alison Tymkiw, Sr. Project Manager, (480) 312-7985, atymkiw@ScottsdaleAZ.gov; Joe Gross, Water Resources Director, (480) 312-5628, jgross@ScottsdaleAZ.gov

Public Comment - NONE

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City Manager's Report - NONE

Mayor and Council Items – COUNCILWOMAN LUKAS – REQUESTED A WORKSTUDY SESSION AGENDA ITEM TO DISCUSS WHAT THE CITY CAN DO REGARDING THE HOMELESS
COUNCILMAN ORTEGA – QUESTIONED THE STATUS OF THE WHITEPAPER FROM STAFF REGARDING PARTICIPATION OF OTHER CITIES IN DEVELOPMENT PROJECTS AS WELL AS DEVELOPMENT PROJECTS SCOTTSDALE MAY BECOME INVOLVED IN. MS. DOLAN EXPLAINED THAT THE INFORMATION IS BEING COMPILED AND WILL BE AVAILABLE THIS WEEK.

Adjournment of the City Council Meeting 7:08 P.M. and Convening of the:

DC Ranch Community Facility District of Scottsdale, Arizona Board of Directors
Agenda Attached

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.